UNITED
NATIONS

TD

United Nations Conference
on Trade and Development

Distr.
GENERAL

TD/B/1278
22 January 1991

Original: ENGLISH

TRADE AND DEVELOPMENT BOARD
Thirty-seventh session
Second part
Geneva, 11 March 1991
Item 1(a) of the provisional agenda

PROVISIONAL AGENDA FOR THE SECOND PART OF THE THIRTY-SEVENTH REGULAR SESSION OF THE BOARD AND ANNOTATIONS TO THE PROVISIONAL AGENDA

Annotations to the provisional agenda

At its 780th plenary meeting, on 12 October 1990, the Board approved the provisional agenda for the second part of its thirty-seventh session, as contained in TD/B/L.908 - which is reproduced below:

"PROVISIONAL AGENDA FOR THE SECOND PART OF THE
THIRTY-SEVENTH REGULAR SESSION OF THE BOARD

1. Procedural matters:

   (a) Adoption of the agenda and organization of the work of the session;

   (b) Adoption of the report on credentials;

   (c) Provisional agenda for the first part of the thirty-eighth regular session of the Board;

   (d) Provisional agenda for the seventeenth special session of the Board;

   (e) Designation of the President of the thirty-eighth regular session of the Board

2. Protectionism and structural adjustment and, in conjunction therewith, outcome of the Uruguay Round on developments and issues of particular concern to the developing countries, in accordance with paragraph 105(8) of the Final Act of UNCTAD VII.

3. Preparations for the eighth session of the United Nations Conference on Trade and Development

4. United Nations Programme of Action for African Economic Recovery and Development 1986 - 1990: UNCTAD's intergovernmental input into the General Assembly's final review and appraisal of the implementation of the Programme of Action in 1991

5. Review of progress in the implementation of the Programme of Action of the Second United Nations Conference on the Least Developed Countries

   - UNCTAD's contribution to the follow-up of the Programme of Action

6. Other matters in the field of trade and development:

   (a) Implementation of the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries (Economic and Social Council resolution 1990/54)

   [to be completed in the light of developments]

7. Other matters requiring action by the Board arising from or related to reports and activities of its subsidiary and other bodies

   [to be completed in the light of developments]

8. Institutional, organizational, administrative and related matters:

   (a) Treatment of new States members of UNCTAD for purposes of elections;

   (b) Announcement of any changes in the membership of the Board and election to membership of main Committees;

   (c) Designation of intergovernmental bodies for the purposes of rule 76 of the rules of procedure of the Board;

   (d) Designation and classification of non-governmental organizations for the purposes of rule 77 of the rules of procedure;

   (e) Review of the calendar of meetings;

   (f) Administrative and financial implications of the actions of the Board

   [to be completed in the light of developments]

9. Other business

10. Adoption of the report of the Board."

ANNOTATIONS TO THE PROVISIONAL AGENDA

Introductory note

The secretariat's annotations are intended to furnish essential background information covering the provisional agenda items, together with a brief description of the relevant documentation.

Item 1 PROCEDURAL MATTERS

The rules of procedure of the Board are contained in TD/B/16/Rev.4 and Corr.1.

Item 1(a) Adoption of the agenda and organization of the work of the session

Agenda

At its 780th plenary meeting, on 12 October 1990, the Board approved the provisional agenda for the second part of its thirty-seventh session, as contained in TD/B/L.908. In this connection, the Board endorsed the following understanding, read out by the President, concerning future treatment by the Board of relevant trade issues pertaining to the countries of Eastern Europe:

> "There are a number of resolutions and decisions of both the Conference and the Board requiring that problems pertaining to trade relations among countries having different economic and social systems be considered by the Trade and Development Board in one of its Sessional Committees.
>
> It is recalled that - during the discussion at the second part of the thirty-sixth session of the Trade and Development Board and consultations at the current session of the Board - a general view emerged that, in the light of policy changes in the countries of Eastern Europe, future consideration of any relevant issues requiring attention should be dealt with in the context of the overall problematique of international trade and economic co-operation. It is therefore the view of member States that a separate Board item on trade relations among countries with different economic and social systems is no longer required.
>
> It is noted that the Secretary-General of UNCTAD is making the necessary adjustments to the work programme and organization of the UNCTAD secretariat and that this will be reflected in due course in the Programme Budget."

In accordance with past practice, the Board authorized the Secretary-General of UNCTAD, in consultation with the President, to adjust and complete the provisional agenda in the light of developments.

Item 1(a) continued

This arrangement was on the understanding that any amendments or additions would be subject to consultations with the representatives of regional groups within the framework of the consultative machinery established by Board decision 143 (XVI) and Board resolution 231 (XXII). The Board also requested the Secretary-General of UNCTAD to consult delegations regarding the organization of work of the session and to circulate his suggestions thereon.

Documentation

TD/B/1278	Annotated provisional agenda
TD/B/1278/Add.1	Addendum

Organization of work

As requested by the Board at its 780th plenary meeting on 12 October 1990, the Secretary-General of UNCTAD will consult delegations on the organization of work of the second part of the session and will circulate his suggestions thereon.

Documentation

TD/B/1278/Add.2	Organization of work

Item 1(b) Adoption of the report on Credentials (Rule 17.2)

"The Bureau of the Board shall examine the credentials and submit their report to the Board."

in-session documentation

Item 1(c) Provisional agenda for the first part of the thirty-eighth regular session of the Board and organization of the work of the session (Rule 8)

The Secretary-General of UNCTAD will submit during the session a draft provisional agenda for the first part of the thirty-eighth regular session.

in-session documentation

Item 1(d) Provisional agenda for the seventeenth special session of the Board

The Secretary-General of UNCTAD will submit during the session a draft provisional agenda for the seventeenth special session of the Board, to be held in preparation for the eighth session of the Conference.

in-session documentation

Item 1(e) Designation of the President of the thirty-eighth regular session of the Board

By decision 360 (XXXV), of 5 October 1988, the Board reaffirmed its decision 338 (XXXIII) of 9 September 1986, whereby it agreed that it would be desirable for the Board to identify, before the end of each regular session, the person to be elected as President at its next regular session, so as to enable the person concerned to participate in an advisory capacity in the preparatory work for the regular session in which he would serve as President. By the same decision, the Board made provision for such designation to be done subsequently through consultations, should it not prove possible for it to be done during the Board session itself.

In accordance with the cycle for the rotation of the Office of President of the Board (rule 19.2), the President at the thirty-eighth session shall be a representative of one of the States contained in List D in the annex to General Assembly resolution 1995 (XIX).

Item 2 PROTECTIONISM AND STRUCTURAL ADJUSTMENT AND, IN CONJUNCTION THEREWITH, OUTCOME OF THE URUGUAY ROUND ON DEVELOPMENTS AND ISSUES OF PARTICULAR CONCERN TO THE DEVELOPING COUNTRIES, IN ACCORDANCE WITH PARAGRAPH 105 (8) OF THE FINAL ACT OF UNCTAD VII

Protectionism and structural adjustment

It will be recalled that Board resolution 226 (XXII), of 20 March 1981, initiated annual reviews on protectionism and structural adjustment, and Board resolution 286 (XXVIII), of 6 April 1984, established a work programme for the annual reviews. In paragraph 105 (3) of the Final Act, the Conference agreed that "The annual review of protectionism and structural adjustment in the Trade and Development Board should continue under the existing mandate and should be improved to have a wider coverage taking into account the specific interests of developing countries."

The annual report prepared for the second part of the thirty-seventh session will be divided into two parts. Part I, devoted to protectionism, covers developments in trade actions and trade legislation in 1990; assesses official trade intervention; and discusses specific issues (tariffs; changes in conditions of market access in selected countries; agriculture; and market access for African countries). Part II, dealing with structural

Item 2 continued

adjustment, addresses major structural developments in the world economy and export prospects for developing countries, and, in particular, economic integration and restructuring processes in Europe, the implications for exports from developing countries of structural adjustment and trade policies in Japan and the United States and some issues relating to economic liberalization, exchange rate policy and export supply capability of developing countries.

Documentation

TD/B/1282	Problems of protectionism and structural adjustment - Report by the UNCTAD secretariat
TD/B/1282/Add.1	Statistical and information annex (English only)
TD/B/1283	Information provided by States members of UNCTAD for the annual review by the Board of protectionism and structural adjustment

Uruguay Round

In response to subparagraph 105 (8) of the Final Act of UNCTAD VII, the Board has followed developments and issues in the Uruguay Round of particular concern to developing countries (second part of the thirty-fourth session; first and second parts of the thirty-fifth session; second part of the thirty-sixth session; and first part of the thirty-seventh session).

In paragraph 5 of resolution 380 (XXXVI), the Board urged participants in the Uruguay Round to strive for a balanced and successful outcome of the Round which would result in the liberalization and expansion of world trade to the benefit of all countries, especially developing countries, through adequate attention being given to all areas including, in particular, those of special interest to the trade and development of developing countries. In paragraph 6 of the same resolution, the Board noted that recipient countries recognize the usefulness and the importance of the UNCTAD/UNDP technical co-operation programme in assisting developing countries in their participation in the Uruguay Round.

In this connection, the attention of the Board is drawn to General Assembly resolution 45/203, which contains several provisions relating to the Uruguay Round and market access (A/RES/45/203).

The UNCTAD secretariat will provide the Board with the relevant information, with a view to facilitating the consideration of the outcome of the Round.

Documentation

TD/B(XXXVII)/CRP.5	The Uruguay Round Note by the UNCTAD secretariat
A/RES/45/203	Trade and Development Board

Non-tariff measures

In paragraph 2 of decision 367 (XXXV), of 17 March 1989, entitled "Protectionism and structural adjustment", the Board recognized the need to avoid abuse of such non-tariff measures as anti-dumping and countervailing actions and discipline as appropriate resort to other non-tariff measures which have an adverse effect on products of export interest to developing countries; and in paragraph 7, requested the UNCTAD secretariat to carry out a study of the costs and consequences of non-tariff measures, in particular, those which adversely affect exports of developing countries.

The study being submitted to the Board will identify those non-tariff measures affecting exports of developing countries and will estimate their impact. Particular attention will be given to the implications of the Multifibre Arrangement (MFA). The results of this study will be compared with those of a recent study conducted by the United States International Trade Commission.

Documentation

TD/B/1284	The costs and consequences of non-tariff measures, in particular those which adversely affect exports of developing countries

Transfer of technology

In paragraph 4 of resolution 380 (XXXVI), the Trade and Development Board "Urges Governments to take measures to assist technologically weak countries, especially developing countries, to fully participate in technology-led growth in international trade in terms of product innovation, export supply and market penetration capabilities and affirms the need for pursuing policies in the areas of technology which further the goal of trade expansion for the benefit of all trading partners, particularly developing countries, and which promote investment, innovation, absorption, utilization and development of technological and entrepreneurial capabilities;"

Should any delegation wish to refer to this issue, attention is drawn to the fact that the UNCTAD secretariat has addressed this area in the substantive documentation prepared for the eighth session of the Committee on Transfer of Technology (see "Transfer and development of technology in a changing world environment: the challenges of the 1990s" to be issued in document TD/B/C.6/153).

Item 3 PREPARATIONS FOR THE EIGHTH SESSION OF THE UNITED NATIONS CONFERENCE ON TRADE AND DEVELOPMENT

At its 780th plenary meeting on 12 October 1990, the Board authorized the President to report directly to the General Assembly as appropriate the outcome of the continuing consultations on the question of the venue and dates of the Conference.

Item 3 continued

In the light of a communication by the President, circulated to the General Assembly in document A/C.2/45/11, the Assembly adopted resolution 45/205 of 21 December 1990 on "Eighth session of the United Nations Conference on Trade and Development" (A/RES/45/205).

At its 780th plenary meeting on 12 October 1990, the Board approved the substantive item for the provisional agenda for the Conference, and at its 781st meeting, authorized the Secretary-General of UNCTAD to complete the provisional agenda through the addition of the customary administrative and procedural items. The provisional agenda, appropriately completed, was subsequently issued in TD/B/INF.181.

At the second part of its thirty-seventh session, the Board will have before it a note by the Secretary-General of UNCTAD containing his preliminary suggestions for the organization of the Conference, as well as proposed arrangements for the preparatory phase.

Documentation

TD/B(XXXII)/CRP.7	Arrangements and preparations for the eighth session of the United Nations Conference on Trade and Development: Note by the Secretary-General of UNCTAD
TD/B/INF.181	Provisional agenda for the eighth session of the Conference
A/RES/45/205	Eighth session of the United Nations Conference on Trade and Development

Item 4

UNITED NATIONS PROGRAMME OF ACTION FOR AFRICAN ECONOMIC RECOVERY AND DEVELOPMENT 1986-1990: UNCTAD'S INTERGOVERNMENTAL INPUT INTO THE GENERAL ASSEMBLY'S FINAL REVIEW AND APPRAISAL OF THE IMPLEMENTATION OF THE PROGRAMME OF ACTION IN 1991

The first report on UNCTAD's contribution to the UN-PAAERD was before the Board at the second part of its thirty-third session in TD/B/1131. Pursuant to paragraph 5 of decision 345 (XXXIII), of 3 April 1987, progress reports have been submitted regularly to the Board at its thirty-fourth and subsequent sessions in TD/B/1146, TD/B/1181 and TD/B/1222. A further such report will be before the Board at the second part of its thirty-seventh session (TD/B/1279).

By its decision 372 (XXXVI), of 13 October 1989, the Board decided to start preparation, at the first part of its thirty-seventh session, for UNCTAD's intergovernmental input into the General Assembly's final assessment of the UN-PAAERD in 1991. For that purpose, the UNCTAD secretariat prepared a note (TD/B/1265) suggesting possible areas to be covered in UNCTAD's input. Elements of that note, together with the comments made at the first part of the session, have been taken into account in the preparation of the report which will be before the Board at the second part of its thirty-seventh session (TD/B/1280).

Item 4 continued

Section I (Introduction) is used to draw attention to appropriate mandates of the General Assembly, the Board and other bodies. Section II focuses on action taken by African countries themselves to implement the Programme, and the performance of the African economy during the years 1986-1990. Section III reviews steps taken by the international community (including the United Nations system) to implement the Programme. Section IV is devoted to the conclusions to be drawn from the above review, and contains recommendations for measures which could be taken in the post-UN-PAAERD period to bring about accelerated and sustained growth and development in the African region.

In connection with this item, the Board's attention is drawn to General Assembly resolution 45/178 A, of 19 December 1990, entitled "Final review and appraisal of the implementation of the United Nations Programme of Action for African Economic Recovery and Development 1986-1990", by which the Assembly, inter alia, decided to establish an Ad Hoc Committee of the Whole for the purpose of preparing, for the forty-sixth session, the final review and appraisal of the implementation of the UN-PAAERD.

Documentation

TD/B/1279	UNCTAD's contribution to the implementation of the UN-PAAERD 1986-1990: Progress report by the Secretary-General of UNCTAD
TD/B/1280	UNCTAD's intergovernmental input into the General Assembly's final review and appraisal of the UN-PAAERD in 1991
A/RES/45/178 A	Final review and appraisal of the implementation of the United Nations Programme of Action for African Economic Recovery and Development 1986-1990

Item 5 REVIEW OF PROGRESS IN THE IMPLEMENTATION OF THE PROGRAMME OF ACTION OF THE SECOND UNITED NATIONS CONFERENCE ON THE LEAST DEVELOPED COUNTRIES

- UNCTAD's CONTRIBUTION TO THE FOLLOW-UP OF THE PROGRAMME OF ACTION

The Paris Declaration and Programme of Action of the Second United Nations Conference on the Least Developed Countries (Paris, 3-14 September 1990) designated UNCTAD as the focal point for the review and appraisal of the implementation of the Programme and its follow-up at the global level. In paragraph 140 of the Programme of Action, the Conference decided that "Each session of the Trade and Development Board should review progress in the implementation of the Programme as presented in UNCTAD's annual Report on the Least Developed Countries."

Item 5 continued

In its resolution 45/206, adopted on 21 December 1990, the General Assembly endorsed the Paris Declaration and Programme of Action, and inter alia decided that the Trade and Development Board shall consider, during each of its annual spring sessions, the review of progress in the implementation of the Programme of Action.

The Board might wish, on this first occasion, to devote itself at the outset to a discussion of UNCTAD's contribution to the follow-up of the Programme of Action and, for this purpose, might wish to draw on the Report of the Secretary-General of the United Nations on the outcome of the Paris Conference (A/45/695 - prepared in response to General Assembly resolution 44/220, of 22 December 1989), as well as on the Programme of Action itself, and on General Assembly resolution 45/206 of 21 December 1990.

Documentation

TD/B/1285- A/45/695	Second United Nations Conference on the Least Developed Countries Report of the Secretary-General
A/CONF.147/Misc.9 and Add.1	Paris Declaration and Programme of Action of the Second United Nations Conference on the Least Developed Countries
A/RES/45/206	Implementation of the Programme of Action for the Least Developed Countries for the 1990s.

Background documentation

TD/B/1286- A/C.2/45/5	Declaration adopted by the first meeting of the Heads of State and Government of the Least Developed Countries (New York, 1 October 1990)

Item 6 OTHER MATTERS IN THE FIELD OF TRADE AND DEVELOPMENT

Item 6(a) Implementation of the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries (Economic and Social Council resolution 1990/54)

In paragraph 2 of its resolution 1990/54, the Economic and Social Council "Recommends to the governing bodies of the organs, organizations and bodies of the United Nations system that they include in their agenda the question of the implementation of the Declaration and invites them to report to the Council, at its second regular session of 1991, on steps taken by themselves and by Governments within their respective spheres of competence, with a view to ensuring the implementation of the Declaration."

Item 6(a) continued

For the convenience of delegations, the text of the Declaration (General Assembly resolution S-18/3, of 1 May 1990) will be circulated to the Board under cover of a note identifying areas covered by the Declaration coming within UNCTAD's purview.

Documentation

TD/B/1287 — Implementation of the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries

Item 7 — OTHER MATTERS REQUIRING ACTION BY THE BOARD ARISING FROM OR RELATED TO REPORTS AND ACTIVITIES OF ITS SUBSIDIARY AND OTHER BODIES

An annotation to this item will be included in an addendum to the present document.

Item 8 — INSTITUTIONAL, ORGANIZATIONAL, ADMINISTRATIVE AND RELATED MATTERS:

Item 8(a) — Treatment of new States members of UNCTAD for purposes of elections

If required, an annotation will be included in an addendum to the present document. The current membership of UNCTAD is 166.

No documentation

Item 8(b) — Announcement of any changes in the membership of the Board and election to membership of main Committees

In accordance with paragraph 5 of General Assembly resolution 1995 (XIX), the President will inform the Board of any communications received from members of the Conference, indicating their intention to become members of the Board.

Likewise, in accordance with Conference resolution 80 (III), the President will inform the Board of any communications received from States members wishing to become members of one or more of the main Committees.

Present membership is: Trade and Development Board - 130; Committee on Commodities - 106; Committee on Manufactures - 100; Committee on Invisibles and Financing related to Trade - 102; Committee on Shipping - 102; Committee on Transfer of Technology - 98; Committee on Economic Co-operation among Developing Countries - 109.

Item 8(c) Designation of intergovernmental bodies for the purposes of rule 76 of the rules of procedure of the Board

A list of the 99 intergovernmental organizations in status with UNCTAD at the end of 1989 was issued in TD/B/INF.106/Rev.4. It will be recalled that, at the first part of its thirty-seventh session, the Board was informed that the International Tin Council (ITC) had ceased to exist and had been deleted from the list - thus bringing the total number of IGOs in status to 98.

Any new applications will be reflected in an addendum to the present document.

Item 8(d) Designation and classification of non-governmental organizations for the purposes of rule 77 of the rules of procedure

At present there are 144 non-governmental organizations in status with UNCTAD (62 in the General Category and 82 in the Special Category). A list of these organizations is contained in TD/B/INF.107/Rev.4 and Add.1.

Any new applications for status with UNCTAD will be reflected in an addendum to the present document.

Item 8(e) Review of the calendar of meetings

The Board will have before it a calendar of meetings for the remainder of 1991, a draft calendar for 1992 and, for planning purposes, a tentative schedule of meetings for 1993-1995.

Documentation

TD/B/L.913 Review of the calendar of meetings

Item 8(f) Administrative and financial implications of the actions of the Board

The Board will be informed during the session of the administrative and budgetary implications of any proposals before it.

Item 9 OTHER BUSINESS

Any matters to be taken up under this item will be reflected in an addendum to the present document.

Item 10 ADOPTION OF THE REPORT OF THE BOARD

In accordance with Board decision 259 (XXV), two versions of the report of the Board are prepared: (a) the report of the Board to the General Assembly, containing the resolutions and decisions of the Board and any other material which the Board decides to transmit to the Assembly; and (b) the full account of the Board's proceedings, which constitutes the Official Records of the Board's session.

in-session documentation

* * *

The Board will also have before it the following documentation not covered by a specific agenda item:

TD/B(XXXVII)/CRP.6	A selective list of resolutions and decisions adopted by the General Assembly at its forty-fifth session (all languages)
TD/B(XXXVII)/Misc.3	A checklist of documents by provisional agenda item, to be issued at the beginning of the session (English only)